

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN CIVIL LIBERTIES UNION, et al.	)	
	)	
Plaintiffs	)	Civil Action No.
	)	1:05cv01004-ESH
v.	)	
	)	
U.S. DEPARTMENT OF JUSTICE, et al.	)	
	)	
Defendants	)	

**JOINT MOTION TO SET BRIEFING SCHEDULE  
REGARDING PLAINTIFFS' MOTION FOR ATTORNEY'S FEES**

Defendants, U.S. Department of Justice et al., and plaintiffs, American Civil Liberties Union, et al., by and through their undersigned counsel, respectfully move this Court to enter the following briefing schedule for plaintiffs' planned motion for an award of attorney's fees:

- Plaintiffs' motion for attorney's fees shall be filed on or before October 20, 2006;
- Defendants' response shall be filed on or before November 17, 2006; and
- Plaintiffs' reply shall be filed on or before December 1, 2006.

Good cause exists for this Joint Motion. This Court dismissed this case with prejudice on August 9, 2006. See Docket Entry No. 39. Counsel for plaintiffs have informed counsel for defendants that plaintiffs intend to seek attorney's fees for a portion of their work in this litigation. Counsel for all parties have had, and continue to have, discussions to determine whether they may reach a mutually agreeable resolution without need for motions practice before this Court. Accordingly, the parties' proposed briefing schedule incorporates additional time for such further discussions. In addition, undersigned counsel for defendants anticipates being unavailable due to paternity leave for six weeks beginning on or about September 1.

WHEREFORE, for good cause shown, the Court should enter the briefing schedule proposed herein. A proposed Order accompanies this Joint Motion.

Dated: August 22, 2006

Respectfully Submitted,

**FOR THE DEFENDANTS:**

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**FOR THE PLAINTIFFS:**

/s/ Arthur B. Spitzer (by permission)  
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